

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:13cr25-3
vs.	:	
	:	Judge Susan J. Dlott
Frederck Benton, III,	:	
	:	
Defendant(s).	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on July 8, 2016 a Report and Recommendation (Doc. 610). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 623).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, the §2255 motion is DISMISSED with prejudice. Reasonable jurists will not disagree with this conclusion. Petitioner is denied a certificate of appealability and the Court certifies to the Sixth Circuit that any appeal will be objectively frivolous and therefore will not be permitted to proceed *in forma pauperis*.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court